

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

**DANIAL L. CARTER and JONI L.
CARTER, husband and wife,**

Plaintiffs,

v.

**CARGILL, INCORPORATED, a
Delaware Corporation,**

**Defendant/
Cross-Claimant,**

v.

**MIKE PRUITT TRUCKING, and
BREINIG FARMS, INC.,**

**Defendants/
Cross-Defendants**

CASE NO. 8:08CV27

**ORDER &
FINAL JUDGMENT**

This matter is before the Court on the parties' Joint Stipulation for Dismissal with Prejudice (Filing No. 169). The stipulation complies with the requirements of Federal Rule of Civil Procedure 41(a)(1)(A)(ii), and the Court concludes that it should be approved. The parties will bear their own costs and attorney's fees. Accordingly,

IT IS ORDERED:

1. The parties' Joint Stipulation for Dismissal (Filing No. 169) is approved;
2. This action, including all claims, counter-claims, and cross-claims, is dismissed with prejudice; and
3. The parties will pay their own costs and attorney's fees.

DATED this 8th day of February, 2011.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge